

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29455 of 2020

Arising Out of PS. Case No.-19 Year-2019 Thana- GHOSI District- Jehanabad

1. Laxman Das, aged about 50 years, (Male), Son of Chando Das @ Chandi Das.
 2. Satrudhan Das, aged about 45 years, (Male), Son of Chando Das @ Chandi Das.
- Both resident of Village- Belai, Police Station- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-01-2021 Heard Mr. Ashok Kumar, learned counsel for the petitioners and Mrs. Sharda Kumari, learned counsel appearing for the State.

Petitioners apprehend their arrest in connection with Ghoshi P.S. Case No. 19 of 2019 registered under Sections 147 / 148 / 341 / 323 / 325 / 379 / 504 / 307 of the I.P.C.

The allegation as per the First Information Report is that the petitioner no. 1 assaulted the son of the informant by means of “farsa” on his head and petitioner no. 2 assaulted one Mukesh Kumar by means of iron rod on his hand due to which Mukesh Kumar got fracture on his hand.



Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and there are altogether 08 accused persons named in the F.I.R. along with 5-6 unknown persons. Learned counsel further submits that there is land dispute between the parties and the petitioners have falsely been implicated in this case due to previous land dispute.

On the other hand, learned counsel for the State referring to the impugned order submits that there is specific allegation of assault against petitioner nos. 1 and 2 respectively and the victims have received grievous injuries, as such, they do not deserve the privilege of anticipatory bail.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact that there is specific allegation of assault against the petitioners and the victims have received grievous injuries respectively, I am not inclined to grant anticipatory bail to the petitioners.

Accordingly, the same is rejected.

However, if petitioners surrender within four weeks from today before the learned court below and seeks regular bail, the learned court below may consider the same on its own



merit without being prejudiced to the fact that the present
anticipatory bail application has been rejected by this Court.

(Anil Kumar Sinha, J)

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